

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 18-07-2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1394 of 2016

S.Megala ...Petitioner /Mother of the detenue

-vs-

1.State rep.by
The Inspector of Police,
J-1, Saidapet Police Station,
Saidapet,
Chennai-600 015.

2.State, rep.by
The Inspector of Police,
W-20, All Women Police Station,
Saidapet,
Chennai-600 015.

3.Selvam ...Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of Habeas Corpus, directing the second respondent to produce the petitioner's daughter Suguna, aged about 35 years, either in person or body before this Hon'ble Court from the illegal custody of the third respondent and set her at liberty.

For petitioner : Mr.S.Panneerselvam

For respondents 1 & 2 : Mr.V.M.R.Rajentren,
Additional Public Prosecutor.

O R D E R

(Order of the Court was made by S.Nagamuthu,J.)

The petitioner is the mother of one Ms.Suguna, aged 35 years. According to the petitioner, the third respondent has abducted her daughter and he is already having three children through another marriage. Since her daughter, namely, Suguna, is not traced out by the police despite her complaint, the petitioner has come up with this Habeas Corpus Petition.

2. Today, when the matter was taken up for hearing, Ms.Suguna was produced by the second respondent before this Court. The petitioner also made appearance.

3. We have heard the learned counsel for the petitioner and also the learned Additional Public Prosecutor appearing for respondents 1 and 2.

4. When we enquired the alleged detainee, she told us that she was not kidnapped by the third respondent and she has no connection at all with the third respondent and that she has been living all along at the house of her friend, by name, Ms.Vijaya, at Velacherry, Chennai. She also told us that she is not willing to go with the petitioner and she wants to be with her friend at Velacherry. The said statement is recorded.

5. Since there is no illegal detention, this Habeas Corpus Petition is dismissed, leaving it open to the detainee to choose her own way of life.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To

1.The Inspector of Police,
J-1, Saidapet Police Station,
Saidapet,
Chennai-600 015.

2.The Inspector of Police,
W-20, All Women Police Station,
Saidapet,
Chennai-600 015.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.S.panneerselvan, advocate,sr.40450.

pvs (co)
krd 30/8

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